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THE METHODS AND CONDITIONS OF LEGISLATION IN OUR TIME.[1]

The immense increase in the volume of legislation during the last half century is one of the salient features of our time. Various causes may be assigned for it. It may be due to the swift changes in economic and social conditions which have called forth new laws to deal with these new facts. Pessimists may ascribe it to the spread of new evils or the increase of old evils which the State is attempting by one expedient after another to repress. This is what Tacitus meant when he wrote, *"Corruptissima republica plurimæ leges."* Or the optimist may tell us that it is an evidence of that reforming zeal which is resolved to use the power of the State and the law for extirpating ancient faults and making every one happier. Which of these or of other possible explanations is the true one, I will not stop to consider. But the fact that the output of legislation has of late been incomparably greater than in any previous age—greater not only absolutely but in proportion to the population of the civilized nations—suggests a consideration of the forms and methods of law-making as a topic well suited to be dealt with by a great professional body such as I have the honor of addressing. Lawyers and Judges have to know the law, to explain the law, and to apply the law. It is of the utmost consequence that their influence should be exerted to see that the law is well made.

Here, in particular, this subject has an urgent claim upon your attention, for although there is more legislation everywhere in Western Europe than there used to be, and far more in England, still in no country is the output so large as in the United States, where, besides Congress, forty-six State Legislatures are busily at work turning out laws on all imaginable subjects with a faith

[1] An address delivered before the New York State Bar Association, January 24, 1908.

in the power of law to bless mankind which few historians or philosophers, and few experienced lawyers, will be found to share.

In modern free countries where laws are enacted by representative assemblies, where the economic and social questions to be dealt with are generally similar, and where the masses of the people are moved, broadly speaking, by the same impulses, the problem of how to make legislation satisfactory in substance and in form is virtually the same problem everywhere. Accordingly, the light which the experience of one country affords is pretty sure to be useful to other countries. In the general observations I propose to offer to you, you will probably wish that I should dwell upon that experience, and should in particular indicate which of the experiments tried in England have proved successful, and what are the problems that remain for that country still unsolved.

First, let a word be said on the authorities whence legislation in England proceeds. A supreme legislature has many diverse kinds of rules to make; and the growth of business in the British Parliament has led to the severance from general public statutes of other kinds of work with which Parliament formerly dealt much as it deals with those statutes now.

At one time Parliament used to pass acts which, being of temporary application, and passed for special reasons, ought hardly to be deemed legislation in the proper sense, being really rather in the nature of executive orders. To-day it very rarely passes such acts. Orders of the executive kind are now made not directly by Parliament, but either by the King in Council, upon some few matters that are still left within the ancient prerogative of the Crown, or else under statutory powers entrusted by Parliament either to the King in Council or to some administrative department. I believe that in France and Germany also such orders are not made by the legislature. There is also a larger class of rules or ordinances of a somewhat wider but not general application, which being of an administrative nature require from time to time to be varied. Such rules or ordinances are in England now usually made by authorities to whom power in that behalf has been specifically delegated by Parliament. We have now a mass of such "Statutory Rules and Orders" as we call them, filling many volumes. Some, including those which affect the Crown colonies, are made by the Crown in Council. Some, being those which regulate legal procedure in the Courts, are made by the Rule Committee, consisting of Judges of the Supreme Court of Judicature,

and other representatives of the legal profession. The rest are made by the Departments of State, especially by the Home Office and the Local Government Board.

A third class includes enactments which, though they apply only to particular places or persons and are thus not parts of the general law, such as railway acts, canal, gas and water, and electric lighting acts, acts giving powers to municipalities or other local authorities, etc., are passed by Parliament and have the full legal effect of a general statute. They are, however, sharply distinguished from general public acts in the method by which they are passed. They are brought in on a petition by private persons. Notices have to be publicly given of them some two months before the usual beginning of a Parliamentary session in order to call the attention of all persons possibly interested. When brought in they are, after the second reading (which is taken as a matter of course, unless some special cause of opposition on general public grounds is alleged), referred to a small committee, usually of four members, before which the opponents may appear to resist them or to have them modified. The members of this committee make a declaration that they have no private interest in the matter dealt with by the bill, and are required to deal with it in a judicial spirit, on the basis of the evidence presented and the arguments used by the lawyers who represent each side, just as in a Court of Justice. It is deemed improper to attempt to address private solicitations to the members of the committee to influence their decision. Under this system all our railways, and such other public undertakings as require statutory sanction, have been constructed and have had their legal power from time to time increased or varied. It has worked well in every respect but one. It has been costly, for where the bill has been contested the fees paid to agents and counsel sometimes mount up to huge sums. But it has been administered not only with honestly but with seldom even a suspicion; and it has relieved the two Houses of a vast mass of troublesome work by leaving this work to judicial committees. Moreover, it has the advantage of giving every such bill the certainty of being examined on its merits. Being outside the competition for time of public bills, and treated in a different way, the pressure of public business does not prevent a private bill (except in the rare cases where a large public issue is raised) from being sent to a committee, considered there, and, if it pass the committee, being reported to the House and passed there. The

committee may reject a bill, but cannot get rid of it quietly by omitting to report. Finally, it relieves members of Parliament of having to spend time and toil in advocating or opposing bills affecting their constituencies. Having, during twenty-seven years in the House of Commons, represented two great industrial communities, I can bear witness to the enormous gain to a member in being free from local interests and local pressure.

I dwell upon this point in order to explain to you how it is the British Parliament has been able to deal with the great mass of local legislation necessarily imposed on it by the principle that special statutory authority is required for undertakings which involve the compulsory taking of land or the creation of what is in itself a monopoly. Other details regarding these private bills must be left unnoticed, that I may pass on to the larger question of public general legislation, which is what most interests you and me as lawyers.

The quality of statute law may be considered in respect: First, of its Form; secondly, of its Substance.

As respects Form, you, as lawyers, know that a statute ought to be clear, concise, consistent. Its meaning should be evident, should be expressed in the fewest possible words, should contain nothing in which one clause contradicts another or which is repugnant to any other provision of the statute law, except such provisions as it is expressly intended to repeal.

To secure these merits two things are needed, viz.: That a bill as introduced should be skilfully drafted, and that pains should be taken to see that all amendments made are also properly drafted, and that the working is carefully devised at the last stage and before the bill is enacted. Of these objects the former is in England pretty well secured by the modern practice of having all government bills—these being the most important and the large majority of those that pass—prepared by the official draftsman, called the Parliamentary Counsel to the Treasury. If the form is not always satisfactory, that is due not to his fault but to parliamentary considerations, viz., the need for putting measures into shape which makes it least difficult to run them through Parliament. As respects amendments in committee and final revision, our English procedure is not satisfactory. There ought to be some means of correcting, before a measure finally passes, those inelegancies, redundancies and ambiguities which the process of amending in committee usually causes. But as Parliament has, so far,

refused to allow any authority outside itself to alter the wording in the smallest point of form, all that can be done is to use the last stage of the bill to cure such blemishes as can be discovered. Doubtless the same difficulties arise here. I am not fully informed as to how they are dealt with, but have learnt with great interest of the efforts recently made in Wisconsin, under the zealous initiative of Mr. McCarthy, and in this State, also, to supply by a bureau of legislation assistance to members of the legislature in the preparation of their bills. The value of this seems to have been already recognized in both States, and I hear that there are now seven States in all where arrangements are made by State authority for such help.

Now let us come to the Substance of legislation, and start from two propositions which every one will admit.

1. There is in all free countries a great demand for legislation on all sorts of subjects, mainly due to the changes in economic conditions and to the impatience of reformers to have all sorts of evils dealt with by law.

2. The difficulty of framing good laws is enormous, because the work is in most countries no longer the comparatively easy task of repealing old laws which hampered and constrained the citizens—destruction is simple work—but the far harder task of creating a new set of laws which shall guide and help men to attaining the ends they are bent on. Seventy years ago people thought that the great thing was to get freedom. When they had got it they were dissatisfied, and instead of simply letting everything and everybody alone to work out their own weal or woe, on individualist principles, they forthwith set to work to forbid some things which had been tolerated before and to throw upon government all sorts of new functions more difficult and delicate than those of which they had stripped it.

Whether the disposition to increase the range of governmental action is right or wrong, I am not here to discuss. The current is, at least for the moment, irresistible, as appears from the fact that it prevails alike in Western Europe, in England, in the British colonies and in the United States. The demand for a profusion of legislation is inevitable; and the difficulty of having it good, undeniable. In what does the difficulty consist?

In three things. First, of those who demand legislation, many do not understand exactly what is the evil they desire to cure, the good they seek to attain. Secondly, when they do understand

the evil they seldom know what is the proper remedy, when they seek the laudable end they seldom perceive the best means to it. Thirdly, the number of measures, remedial and constructive, called for is so large that it is very hard to select out of them those most urgently needed. No legislature can deal with all at once. Where many are being pressed at once by different persons they jostle one another, and like people crushing one another in the narrow exits of a theatre, they move more slowly than if they were passed in some regular order.

It would be easy to suggest, if one were drawing a new constitution for a new community, an ideal method of securing good legislation and securing it promptly. But we have actual concrete constitutions and governments to deal with, so instead of sketching ideals, I will ask you to consider the actual machinery provided in the United States and in Britain for passing statutes. This machinery differs materially in the two countries.

The American plan starts from the principle that the legislative department must be kept apart from the executive. Accordingly, the administration in the National and in the State governments has neither the responsbility for preparing and proposing measures nor any legally provided means at its disposal for carrying them through Congress, though the President and the State Governors can recommend them, and sometimes succeed in so using their influence as to secure a bill's passing. You rely on the zeal and wisdom of the members of Congress to think out, devise and prepare such measures as the country needs; on the committees of your assemblies to revise and amend these measures; on the general sense of the assemblies and the judgment of their presiding officers or of a so-called "steering committee" to advance and pass those of most consequence.

We, in England, have been led by degrees to an opposite principle. The executive is with us primarily responsible for legislation and, to use a colloquial expression, "runs the whole show," the selection of topics, the preparation of bills, their piloting, and their passage through Parliament.

It is a frequent practice for the government to appoint commissions to take evidence and report upon topics of importance which need legislation. Such reports are often valuable, and often lead to the passing of good measures. They would be still more valuable but for the political pressure which usually compels a government, against its better judgment, to make commissions

too large, and to place upon them persons better known as representatives of particular types of opinion than as experienced and impartial masters of the subject.

When it comes to the actual introduction of a measure, the work of preparation is done by an administrative department of the government and the drafting by the government draftsman. The department supplies the matter of the bill, the latter puts it into shape. Thus both a considerable measure of practical knowledge of the subject and a high measure of professional competence for giving legal form to what is meant to be enacted are secured. Not only measures which raise large political issues, but all the more important measures of each session are brought in by the Ministry on their responsibility as leaders of the majority in the House of Commons. The most important, including those likely to raise party controversy, are considered by the Cabinet, sometimes also by a Cabinet committee, and sometimes at great length.

Bills brought in by private members are drafted by themselves, or by some lawyer whom they employ for the purpose. Should a private member ask a Minister or a department for assistance, it would always be given him, assuming that the department approved of its purpose. Nowadays, however, a private member's bill has no chance of passing, if opposed; so that legislation likely to raise any controversy has virtually passed into the hands of the Ministry.

Once the bill is launched its fate depends on the amount of intelligent care the Legislature is disposed to give it and the amount of skill the Minister in charge shows in steering the boat which carries its fortunes. He has, of course, the assistance of the official draftsman and sometimes of one or more colleagues in preparing his own amendments and considering those proposed by others. He must try to get time enough reserved for its passage, the disposal of time resting with the government.

The practical result of our English system may be summed up by saying that it secures four things:

(1.) A careful study of the subject before a bill is introduced.

(2.) A decision by men of long political experience as to which out of many subjects most need to be dealt with by legislation.

(3.) A careful preparation of measures, putting them into the form in which they are most likely to pass. Obviously that may not be always the best form, but there is no use in offering to

Parliament something too good for such a world as the world of practical politics everywhere is.

(4.) The fixing upon some one of responsibility for dealing with every really urgent question. Whenever an evil has to be dealt with or a want supplied by the action of the Legislature, there is never any doubt who shall do it. The government has got not only to propose something but to put something through, the Minister to whom it belongs having it in charge through all its stages. A government which fails to pass its bills suffers in credit; and if the matter is a specially grave one, may probably be turned out either by the House of Commons or by the voters at the next general election.

There are, however, defects in the English system. One is the fact that Parliament, in spite of all that has been done to relieve it, is still terribly overtaxed. There is more to be done than time can be found for. Another is the tendency to devote attention to measures not so much in the order of their real importance as of the amount of interest which the party in power feels in certain questions, an interest which may be comparatively transitory. A third is the disposition of an opposition in Parliament to oppose the measures of the government because it is the government that brings them forward. The habits of party controversy are so strong that the merits of a proposal are apt to be forgotten under the impulse of a desire to use all the means which the rules of debate provide for damaging or turning out a government whose general principles or actual conduct of affairs the minority may disapprove. This is the counterpart of the advantage which the government power of pushing forward legislation carries with it, being indeed a defect necessarily incident to that advantage. It frequently involves much needless expenditure of time, and the loss of measures in themselves desirable. Thus it happens that in England, Ministers usually get less credit than they deserve for good measures lying outside the sphere of party controversy, and the needed legislation is always in arrear. Still, whenever the people feel that something is to be done, they know whom to require to get it done, and it gets done.

In France the method of legislation stands half-way between the American and the English methods. The Ministry studies a subject, often with great care, prepares a bill dealing with it, and launches the bill in the Chamber. There, the bill passes into the hands of a committee which amends and perhaps quite remolds

it, then returning it to the Chamber with an elaborate report. In the Chamber it is in charge, not of the Minister who proposed it, but of the committee reporter, the Ministry having no more power over its fortunes than flows from the fact that they are the leaders of the majority and can speak in its support. There are also many bills brought in by private members; and these also go to the committees and have apparently a better chance than private bills in England.

Switzerland, like America, but unlike France, has no Ministers as voting members of either Chamber, but they are allowed to speak and defend their policy or advance a measure, in either the House or the Senate. The importance of the Legislature has, however, been reduced by the free use made of the popular vote or so-called referendum.

Both these intermediate systems lose something of the momentum which the responsibility of government for legislation gives in England, but they also reduce the merely party opposition which it has to encounter, while they give to the preparation and passing of measures the advantage of the co-operation of those whose administrative experience enables them to perceive what is really wanted and to judge how it had best be attained.

Whether it is possible to establish in this country consistently with the provisions of the Federal and the State Constitutions any scheme by which the Executive can be rendered more helpful to the Legislature or by which Legislatures can be more completely organized for the purposes of legislation, with a more authoritative leadership, these are questions for you on which I can hazard no opinion. As in the British Constitution promptitude of action and concentration of power have been so fully attained that some critics think that stability is insufficiently secured, so your system in establishing stability by an elaborate system of checks and balances may have sacrificed some of the motive power required to push legislation forward. Apart, however, from these large questions, which I indicate in passing, there may be improvements consistent with your Constitutions and with our Constitution which each country may effect. It is the experience of all civilized countries that scientific method, which has been applied to everything else, also needs to be applied more fully and sedulously to the details of constitutional and political organization than is now the case. And if one may judge from the recent action of your States there are certain changes already in progress. The sittings

of Legislatures have been made less frequent and shorter and as sessions grow shorter State Constitutions grow longer. Not only many subjects but even many minor details of legislation have been withdrawn from the Legislature by being placed in the State Constitution which the Legislature cannot change. The demand is moreover made by some reformers that Congress shall deal with topics which formerly were left entirely to the State. Whether this be wise or not is a matter on which I cannot venture to speak. But it is another sign of the times.

Let me try to illustrate how scientific method may be applied to the constructive part of legislation and the arrangements of Legislatures. It may be applied to the collection of data. The facts on which laws ought to be based need to be gathered, sifted, critically examined. Especially necessary is it to ascertain not only how other countries have legislated on the subjects which occupy public attention here but what has been the practical working of the laws they have enacted.

Take such subjects as the tariff and the law of corporations. Every civilized country has to deal with corporations and has the same task, to keep them under some control, and to prevent them from establishing oppressive monopolies, yet always without checking individual enterprise. Every one, except the monopolist, wishes to stop monopolies, but nobody wants to substitute a meddling officialism. How to steer between these two risks is no easy problem, and needs scientific inquiry, with an examination of the laws of other countries.

Any country that has a system of customs duties meant to be protective, needs to know how each duty, whether on raw materials or on the manufactured article, operates upon the manufacturer, the dealer, the consumer; and the more complex and all-embracing a tariff is, the greater this need. Now, both these subjects are beyond the knowledge and the skill of the ordinary legislator either in Europe or here. Only special study can give the knowledge and skill required to competently advise the person who has to prepare measures on either subject. The same thing holds true of railroads, of mines, of factories, of sanitation, of irrigation, of forest conservation and many other topics of current interest. All must be approached in a scientific way, using the results of the experience of other countries.

Methods, too, have to be studied as well as facts. To devise and apply sound methods of legislation is equally a matter requir-

ing careful study and a knowledge of the systems which have succeeded elsewhere. For instance, a distinction ought to be drawn between the work proper to a legislative body and that which is better left to some administrative or judicial authority, making rules under a power delegated by the Legislature. Administrative rules are better made in that way, and the time of the Legislature is saved. Similarly, bills relating to local and personal matters ought to be distinguished from those which affect the general law. The more these local matters, in which the pecuniary interests of persons or corporations are involved, can be kept apart from politics, the better. They are usually fitter for a sort of investigation, judicial in its form, though not necessarily conducted by lawyers. To take them out of the ordinary business of a Legislature saves legislative time, while it removes temptation. It sets the members of a legislative body free to deal with the really important general issues affecting the welfare of the people which are now crowding upon them. It helps them to appeal to the people upon those general issues rather than in respect of what each member may have done for the locality he represents.

Let me sum up in a few propositions, generally applicable to modern free countries, the views to which I have sought to direct your attention.

I. The demand for legislation has increased and is increasing both here and in all highly civilized countries.

II. The task of legislation becomes more and more difficult, owing to the complexity of modern civilzation, the vast scale of modern industry and commerce, the growth of new modes of production and distribution that need to be regulated, yet so regulated as not to interfere with the free play of individual enterprise.

III. Many of the problems which legislation now presents are too hard for the ordinary members and even for the abler members of legislative bodies, because they cannot be mastered without special knowledge. (It may be added that in the United States a further difficulty arises from the fact that legal skill is often required to avoid transgressing some provision of the Federal or a State Constitution.)

IV. The above conditions make it desirable to have some organized system for the gathering and examination of materials for legislation, and especially for collecting the laws passed in other countries on subjects of current importance.

V. To secure the pushing forward of measures needed in the

public interest, there should be in every Legislature arrangements by which some definite person or body of persons become responsible for the conduct of legislation.

VI. Every modern Legislature has more work thrown on it than it can find time to handle properly. In order, therefore, to secure sufficient time for the consideration of measures of general and permanent applicability, such matters as those relating to the details of administration or in the nature of executive orders should be left to be dealt with by the administrative department of government, under delegated powers, possibly with a right to disapprove reserved to the Legislature.

VII. Similarly, the more detailed rules of legal procedure ought to be left to the judicial department or some body commissioned by it, instead of being regulated by statute.

VIII. Bills of a local or personal nature ought to be separated from bills of general applicability and dealt with in a different and quasi-judicial way.

IX. Arrangements ought to be made, as, for instance, by the creation of a drafting department connected with a Legislature or its chief committees, for the putting into proper legal form of all bills introduced.

X. Similarly, a method should be provided for rectifying in bills before they become law such errors in drafting as may have crept into them during their passage.

XI. When any bill of an experimental kind has been passed, its workings should be carefully watched and periodically reported on as respects both the extent to which it is actually enforced (or found enforcible) and the practical results of the enforcement. A department charged with the enforcement of any act would naturally be the proper authority to report.

XII. In order to enable both the Legislature and the people to learn what the statute law in force actually is, and thereby to facilitate good legislation, the statute law ought to be periodically revised, and as far as possible, so consolidated as to be brought into a compact, consistent and intelligible shape.

I venture to submit these general observations because at this time one observes everywhere an unusual ferment over economic and social questions, and an unusually loud demand for all sorts of remedies, some of them crude, some useless, some few possibly pernicious. Here, in the United States, this ferment takes a form conditioned by your constitutional arrangements and your political

habits. There seems to be in many quarters a belief that the State governments cannot deal with some of the large questions that interest the whole country. Yet there is also a fear to disturb the existing balance of powers and functions between the State authorities and the National government. There is a feeling that evils exist which governments ought to deal with, and for dealing with which the existing powers of governments ought to be extended. Yet there is also a dread of officialism and of anything approaching the bureaucratic interference of continental Europe. Discontent is qualified by doubt. The reforming spirit runs with a strong current, but it is arrested by the conservative habits of a people who value the old institutions and realize how much caution is needed in modifying them. So, again, there is a disposition to criticize State governments and city governments, and to appeal to good citizens, as voicing the best public opinion, to step in and do whatever useful work those governments are failing to do. But how is public opinion to be organized, concentrated, focused? Who are the persons to give it that definite and authoritative expression which will enable it to prevail? These are some of the problems which appear to be occupying your minds, as, under different forms, they occupy us in Europe. They will, doubtless, like other problems in the past which were even harder, be all solved in good time, solved all the better because there is here in America, little of that passion which has at other times or in other countries overborne the voice of reason.

Meantime, as there is evidently a good deal of legislation before you, every improvement in the machinery of legislation and the conditions of legislation that can be made is worth making, every light that the experience of other countries can suggest, is worth receiving and using.

The great profession to which you belong has a special call to exert in this direction its influence, which has often been exerted for the benefit of the nation. You know such weak points as there may be in the existing legislative machinery. You know them as practical men who can apply practical remedies. If you see a public benefit in separating different classes of bills and treating the special or local and personal bills in a different way from the public ones, you can best judge how this should be done. You have daily experience of the trouble which arises from obscurities or inconsistencies in the statutes passed, of the wasteful litigation due to the uncertainty of the law, with all the expense and vexation

which follow. You are, I hear on all hands, not satisfied with the criminal procedure in many of your States. These are matters within your professional knowledge. You can, with the authority of experts, recommend measures you deem good, and remonstrate against those that threaten mischief; and I understand that remonstrances proceeding from the Bar are frequently effective.

Some cynical critics have suggested that the legal profession regard with equanimity defects in the law which may increase the volume of lawsuits. The tiger, it is said, cannot be expected to join in clearing away the jungle. This splenetic view finds little support in facts. Allowing for the natural conservatism which the habit of using technical rules induces, and which may sometimes make you over-cautious in judging proposals of change, lawyers have, both here and in England, borne a creditable part in the amendment of the law. It is a great mistake to think they profit by its defects. Where it is clear and definite, where legal procedure is prompt and not too costly, men are far more ready to resort to the Courts for the settlement of their disputes. It is uncertainty, delay and expense that lead them to pocket up their wrongs and endure their losses. Even, therefore, on the lower ground of self-interest, the Bar has nothing to gain by a defective state of the law. But apart from this, every man who feels the dignity of his profession, who pursues it as a science, who realizes that those whose function it is thoroughly to understand and honestly apply the law, are, if one may use the somewhat highflown phrase of a great Roman jurist, the priests of justice,—every such man will wish to see the law made as perfect as it can be. So, too, whoever realizes, as in the practice of your profession you must do, how greatly the welfare of the people depends on the clearness, the precision, the substantial justice of the law, will gladly contribute his knowledge and his influence to furthering so excellent a work. There is no nobler calling than ours, when it is pursued in a worthy spirit.

Your profession has had a great share in molding the institutions of the United States. Many of the most famous Presidents and Ministers and leaders in Congress have been lawyers. It must always hold a leading place in such a government as yours. You possess opportunities beyond any other section of the community for forming and guiding and enlightening the community in all that appertains to legislation. Tocqueville said seventy years ago: "The profession of the law serves as a counterpoise to democracy."

We should rather say that it has given democracy its legal framework, and it keeps that framework in working order. To you, therefore, as an organized body of lawyers, one may fitly address these observations on legislative methods drawn from the experience of Europe. We live in critical times, when the best way of averting hasty or possibly even revolutionary changes is to be found in the speedy application of remedial measures. Both here and in Europe improvements in the methods of legislation will not only enable the will of the people to be more adequately expressed, but will help that will to express itself with prudence, temperance and wisdom.

What is legislation but an effort of the people to promote their common welfare? What is a Legislature but a body of men chosen to make and supervise the working of the rules framed for that purpose? No country has ever been able to fill its Legislatures with its wisest men, but every country may at least enable them to apply the best methods, and provide them with the amplest materials.

Never, I think, since the close of the Civil War, has there been among the best citizens of the United States so active a public spirit, so warm and pervasive a desire to make progress in removing all such evils as legislation can touch. Never were the best men, both in your Legislatures and in the highest executive posts, more sure of sympathy and support in their labors for the common weal.

JAMES BRYCE.

WASHINGTON, D. C.